

UNITED STATES DISTRICT COURT - DISTRICT OF NEW HAMPSHIRE
ANDRE BISASOR, Plaintiff,

v.

CRAIG S. DONAIS; RUSSELL F. HILLIARD; DONAIS LAW OFFICES, PLLC;
UPTON & HATFIELD, LLP; and MARY K. DONAIS, Defendants.

Case No.1:23-cv-00374-JL

**PLAINTIFF'S REPLY OR MOTION TO REPLY TO THE DONAIS DEFENDANTS' OBJECTION
TO THE MOTION TO OBTAIN TRANSCRIPT**

1. I hereby submit this quick reply or motion to reply to the Donais' defendants' objection (filed today) to my motion to obtain transcript of the 11-30-23 hearing (hereafter "hearing").
2. First, I am not sure why this objection by the Donais defendants was really necessary. It sounds like the Donais defendants do not object to the court allowing my motion to obtain a transcript as an overall matter, but somehow they seem to object to either only to how the transcript might be used by me or that they don't want the transcript to be prepared too quickly in order to prevent me from using it in any reply or objection coming due in the near future.
3. Second, there is a stated wrong assumption by the Donais defendants that I will somehow, in blanket fashion, in the future seek to move to correct the transcript no matter what, once I receive the transcript. But this is unwarranted speculation. This attempt to spuriously predict my actions should not be countenanced by the court. It is not valid and has no place in this court. I simply want a transcript because there are certain things that were said or discussed in the hearing, that was not captured by the court order, which is understandable because the court order was not a transcription of the hearing. It was simply a summary of the key points in the orders on motions before the court at the time.
4. Third, I am entitled to obtain a transcript of this hearing, or any hearing, without having my motives questioned. This kind of conduct is unseemly and unbecoming of lawyers. These big law attorneys can't seem to refrain from using such tactics to try to gain more advantage, on top of all of the advantages they already have against me as a sole pro se/non-lawyer plaintiff. How can any pro se plaintiff properly prosecute a case when they are constantly impugned and attacked like this by the defendant lawyers. Evidently, I can't even request a transcript without being attacked. This was an unnecessary gratuitous attempt to attack me or my motives. As evidenced here, it seems almost everything I do is or will be questioned, impugned, or scandalized, in order to obtain more and more case advantage by the defendants.

5. Fourth, the Donais defendants somehow have “divined” that this motion to obtain transcript is a delay tactic¹ because somehow either they think it will take long to produce the transcript or I will move to correct the transcript after obtaining the transcript. But yet I actually have no reason to believe the transcript cannot be prepared in a speedy manner in this federal court. In fact, I fully expect that the transcript can be prepared in a week or two, which is I filed my motion last week as an emergency motion.
6. Moreover, if there truly was a valid concern about this, what the defendants should have done is to wait to see if I moved to correct the transcript in the future and then object to that motion where they can feel free to insinuate a delay motive there (if in fact I file such a motion and if in fact the transcript does not need any correction). Any such attack is at best premature. I do not intend or expect that the transcript will need correction. I was not even thinking of that. I simply want to refresh my recollection of the things that were said in the hearing, especially to the extent these statements might support any arguments to be made to court.
NB: I cannot be expected to remember every single thing said with 100% accuracy from memory.
7. Also, the court made certain representations in the hearing that were not captured in the order. These representations, from what I recall, related to things like my request for accommodation, and also statements regarding the motion to amend/amendment issues and the motion to remand/remand issues. This is why I need the transcript in order to properly recall exactly all of what was said.
8. NB: Just because it was a case management conference, it does not mean there are not relevant or important things that were said that can be used in certain filings to be made by me in the near future.
9. The goal of the defendants seems to be so stigmatize any request I make for extension, so that the court will automatically be suspicious of any such requests, when the fact of the matter is that there are various valid and legitimate grounds for seeking extensions of time, which lawyers routinely make (including by the said defendants lawyers which they have done in this case and related cases, as well as in other cases) and which are routinely allowed by courts. For example, my requests for reasonable accommodation are reasonable and I

¹ Here bespeaks what appears to be what the defendants seem to believe is their quintessential winning strategy, which is to invoke the magic words of “delay” or “delay tactic”, in order to rile up the court and get the court to deny my requests or at least significantly limit or curtail my requests. They have somehow figured that this tactic will work with this court and they will likely keep using at every turn. This, by way, was the something I raised as a concern in the hearing and is another reason why I want a transcript because it will further show the disingenuous way that the defendants have sought to use this tactic.

should be afraid or be made to be afraid to make such requests, especially when in fact in the hearing the court invited to me to continually ask the court for such extensions on a case by case basis, instead of issuing a standing order. Now, I actually have to come to think that it may have been better for the court to issue a standing order because, not only is it burdensome to keep having to file motions for extensions of time but it opens the door for the defendants to cast aspersions on my motives, especially the further we get from the 11-30-23 hearing, which is not fair to me and sets up a systemic or structural disadvantage for me, and which should not occur especially in the context of reasonable accommodation situations.

10. On a related note, the fact of the matter is that during the hearing, I recall that the Donais defendants' counsel made certain false or misleading statements to the court. This I suspect might be the real reason that the defendants do not want a transcript to be produced or used.
11. Similarly, the comment that "*Now, more than four months later, Plaintiff contends that he requires a transcript of this hearing...*" is also gratuitous. Please recall that the motion to amend was filed on 3-12-24. The defendants' objection to the motion to amend was just only recently filed on 3-25-24 and 3-26-24. That was only 2 weeks ago. The order on remand was issued on 3-21-24. That was only about 2.5 weeks or so ago. That is the relevant timeframe here, not 4 months ago. This reference is thus disingenuous and appears to be an attempt to use psychological framing and manipulation to get the court to agree with its flawed premises and argument.
12. The bottom line is that my request is reasonable and permitted under the rules, and the defendants' basis for objecting in any way is meretricious and groundless.
13. Please grant my request or such other and further relief as is equitable and just.

April 8, 2024

Respectfully submitted,
/s/Andre Bisasor
Plaintiff Andre Bisasor

CERTIFICATE OF SERVICE

This filing is served to all parties of record via the e-filing system.

/s/Andre Bisasor
Andre Bisasor